

MESSAGE NO: 7122201 MESSAGE DATE: 05/02/2007

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-357-818

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/26/2007 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY  
INVESTIGATION OF LEMON JUICE FROM ARGENTINA (A-357-818)

MESSAGE NO: 7122201

DATE: 05 02 2007

CATEGORY: ADA

TYPE: PRE

REFERENCE:

REFERENCE DATE:

CASES: A - 357 - 818

- -

- -

- -

- -

- -

PERIOD COVERED: 01 26 2007 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING  
DUTY INVESTIGATION OF LEMON JUICE FROM ARGENTINA  
(A-357-818)

1. ON APRIL 26, 2007, THE DEPARTMENT OF COMMERCE  
PUBLISHED IN THE FEDERAL REGISTER (72 FR 20820)  
ITS PRELIMINARY DETERMINATION OF SALES AT LESS  
THAN FAIR VALUE AND AFFIRMATIVE PRELIMINARY  
DETERMINATION OF CRITICAL CIRCUMSTANCES IN THE  
ANTIDUMPING DUTY INVESTIGATION OF LEMON JUICE  
FROM ARGENTINA.

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION

INCLUDES CERTAIN LEMON JUICE FOR FURTHER MANUFACTURE, WITH OR WITHOUT ADDITION OF PRESERVATIVES, SUGAR, OR OTHER SWEETENERS, REGARDLESS OF THE GPL (GRAMS PER LITER OF CITRIC ACID) LEVEL OF CONCENTRATION, BRIX LEVEL, BRIX/ACID RATIO, PULP CONTENT, CLARITY, GRADE, HORTICULTURE METHOD (E.G., ORGANIC OR NOT), PROCESSED FORM (E.G., FROZEN OR NOT-FROM-CONCENTRATE), FDA STANDARD OF IDENTITY, THE SIZE OF THE CONTAINER IN WHICH PACKED, OR THE METHOD OF PACKING.

EXCLUDED FROM THE SCOPE ARE: (1) LEMON JUICE AT ANY LEVEL OF CONCENTRATION PACKED IN RETAIL-SIZED CONTAINERS READY FOR SALE TO CONSUMERS, TYPICALLY AT A LEVEL OF CONCENTRATION OF 48 GPL; AND (2) BEVERAGE PRODUCTS SUCH AS LEMONADE THAT TYPICALLY CONTAIN 20% OR LESS LEMON JUICE AS AN INGREDIENT. LEMON JUICE IS CLASSIFIABLE UNDER SUBHEADINGS 2009.39.6020, 2009.31.6020, 2009.31.4000, 2009.31.6040, AND 2009.39.6040 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). WHILE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-357-818.

4. FOR IMPORTS OF LEMON JUICE FROM ARGENTINA, U.S. CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND LIQUIDATION OF ENTRIES OF LEMON JUICE FROM ARGENTINA THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 26, 2007 (90 DAYS PRIOR TO THE PUBLICATION OF THE PRELIMINARY DETERMINATION) IN ACCORDANCE WITH SECTION 733(e)(2) OF THE TARIFF

ACT OF 1930, AS AMENDED. CBP SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE PERCENTAGE MARGINS SHOWN BELOW FOR ENTRIES THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 26, 2007 FOR THE MANUFACTURERS LISTED BELOW:

MANUFACTURERS	CUSTOMS ID	MARGIN PERCENTAGE
CITRUSVIL, S.A.	A-357-818-001	128.50
S.A. SAN MIGUEL A.G.I.C.Y F.	A-357-818-002	85.64
ALL OTHERS	A-357-818-000	113.52

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE 'ALL OTHERS' RATE OF 113.52 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND

ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. THESE CASH DEPOSIT REQUIREMENTS SHALL REMAIN IN EFFECT UNTIL FURTHER NOTICE. DO NOT LIQUIDATE ANY ENTRIES OF MERCHANDISE INCLUDED IN THIS INVESTIGATION UNTIL ASSESSMENT INSTRUCTIONS ARE RECEIVED.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6:JGR).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party